

**PUBLIC UTILITIES COMMISSION OF THE  
STATE OF CALIFORNIA**

**RULES AND REGULATIONS REQUIRING ALL VESSEL COMMON CARRIERS  
SUBJECT TO THE PUBLIC UTILITIES CODE TO PROVIDE AND THEREAF-  
TER CONTINUE IN EFFECT ADEQUATE PROTECTION AGAINST LIABILITY  
IMPOSED BY LAW UPON SUCH CARRIERS FOR THE PAYMENT OF DAM-  
AGES FOR PERSONAL BODILY INJURIES (INCLUDING DEATH RESULTING  
THEREFROM) AND DAMAGE TO OR DESTRUCTION OF PROPERTY.**

**Adopted September 6, 1984. Effective January 1, 1985.**  
**(Decision 84-09-088. OII 83-08-03).**

**Amended December 5, 1984. Effective December 5, 1984: Decision 84-12-001.**

(1) Every vessel common carrier, as defined in the Public Utilities Code, shall provide and thereafter continue in effect, so long as it may be engaged in conducting such operations, adequate protection against liability imposed by law upon such carriers for the payment of damages for personal bodily injuries (including death resulting therefrom) and for damage to or destruction of property, other than property being transported by such carrier for any shipper or consignee, whether the property of one or more than one claimant, in amounts not less than the amounts set forth in the following schedule:

<i>Kind of Equipment (Passenger Seating Capacity)</i>	<i>For bodily injuries to or death of one person</i>	<i>For bodily injuries to or death of all persons injured or killed in, any one accident (subject to a maximum of \$150,000 for bodily injuries to or death of one person)</i>	<i>For loss or damage, in any one accident, to property of others (excluding cargo)</i>	<i>Minimum for Single Limit Coverage</i>
Property Only				
(No passengers) .....	\$150,000	\$600,000	\$100,000	\$700,000
1— 99 passengers ..	\$150,000	1,000,000	\$100,000	1,100,000
100— 199 passengers ..	\$150,000	1,100,000	\$100,000	1,200,000
200— 299 passengers ..	\$150,000	1,200,000	\$100,000	1,300,000
300— 399 passengers ..	\$150,000	1,300,000	\$100,000	1,400,000
400— 499 passengers ..	\$150,000	1,400,000	\$100,000	1,500,000
500— 999 passengers ..	\$150,000	2,000,000	\$100,000	2,100,000
1,000— 1,999 passengers ..	\$150,000	3,000,000	\$100,000	3,100,000
2,000 or more passengers..	\$150,000	4,000,000	\$100,000	4,100,000

- (2) The amount of coverage to be provided by each carrier shall be determined in one of the following ways:
- (a) Where the policy, surety bond or contract covers more than one vessel, the coverage for all vessels shall be determined by the coverage applicable to that covered vessel which has the highest requirement.
  - (b) Where each vessel is covered by a separate policy, bond or contract or by separate schedules each of which is applicable to a single vessel within a policy, bond or contract cover-

ing two or more vessels, then the minimum required coverage for each vessel shall be determined by its own individual requirement.

- (3) The protection herein required shall be provided in one of the following ways:
  - (a) By a certificate or certificates of public liability insurance and property damage insurance in a form approved by the Commission, issued by a company, or companies, licensed to write such insurance in the State of California, or by nonadmitted insurers subject to Section 1760.5 of the Insurance Code.
  - (b) By an original bond, or bonds, issued by a surety company, or companies, permitted to write surety bonds in the State of California.
  - (c) By a certificate of insurance issued on behalf of Lloyd's of London by a special lines' surplus line broker licensed as such in this State.
  - (d) By any other plan of protection for the public approved as hereinafter required.
  - (e) By a plan of self-insurance approved as hereinafter required.
  - (f) By a combination of two or more of the foregoing methods.
- (4) When protection is to be provided by the means set forth in subparagraphs (a), (b), (c), (d), and (f) of paragraph (3) hereof, a deductibility clause may be inserted. Where 5 per centum, or less, of the risk is made deductible, no special approval will be required. Where more than 5 per centum of the risk is made deductible, special approval under paragraph (6) of this general order shall be required.
- (5) The protection provided hereunder shall not be cancelable on less than thirty days' written notice to the Public Utilities Commission, such notice to commence to run from the date the notice is actually received at the office of the Commission.
- (6) When the protection is provided by an approved alternate plan or a plan of self-insurance, or includes such an approved plan or plan of self-insurance with other methods, approval of the Commission is required. Such approval shall be requested by a formal application in accordance with the Commission's Rules of Practice and Procedure setting forth all the facts which shall be required by the Commission with respect thereto.
- (7) Every insurance certificate, surety bond or alternate plan of equivalent protection to the public shall contain a provision that such certificate, surety bond or alternate plan of equivalent protection shall remain in full force and effect until canceled in the manner provided by Paragraph (5) of this General Order.
- (8) The cancellation of a certificate of insurance or surety bond, or

the impairment or destruction of any security or the cancellation or termination of any approved alternate plan, shall constitute good cause for suspension or revocation of the operating authority of the affected vessel common carrier. No operation shall be conducted within the State of California unless a certificate of insurance, surety bond, or approved alternate plan of equivalent protection hereinabove specified shall be in effect and on file with the Commission.

- (9) On or prior to commencing operations, each vessel common carrier shall file an affidavit (signed by an executive officer of a corporation, by a partner if a partnership, or by the owning operator if an individual) with the Commission setting forth the passenger seating capacity of each type of vessel in commercial operation. At any time that the passenger seating capacity of any such vessel may be increased to a point where the protection then on file as provided in paragraph 1 of this general order is inadequate, and if a new type of vessel is acquired and operated, a supplementary affidavit of passenger seating capacity shall be filed with the Commission. Prior to the operation of added capacity, or a new vessel with capacity in excess of coverage theretofore on file, the vessel common carrier shall cause to be filed evidence of additional coverage sufficient to comply with the minimum limits heretofore set forth.
- (10) The affidavit referred to in Paragraph (9) shall be on paper 8½ by 11 inches in size, and shall be substantially in the form as follows:

**[SEE NEXT PAGE FOR SAMPLE FORMAT OF AFFIDAVIT.]**

Approved and dated at San Francisco, California, this 6th day of September, 1984.

**PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

By **JOSEPH BODOVITZ**  
*Executive Director*

**AFFIDAVIT OF VESSEL COMMON CARRIERS**

\_\_\_\_\_  
**Legal Name of Vessel Common Carrier**

Check ( ) individual, ( ) partnership\*, ( ) corporation,  
( ) other \_\_\_\_\_

\* List names of all partners.

Mailing Address \_\_\_\_\_

**To Public Utilities Commission of  
the State of California  
License Section, Transportation Division  
State Building  
San Francisco, CA 94102**

**This is to certify that the above-named carrier operates the following:**

List Each Type of Vessel in Commercial Operation	Passenger Seating Capacity
_____	_____
_____	_____
_____	_____

I hereby certify under penalty of perjury that the foregoing is true and correct.

\_\_\_\_\_  
**Authorized Representative**

\_\_\_\_\_  
**Title**

\_\_\_\_\_  
**Date Signed**

\_\_\_\_\_  
**Place Signed**